REMARKS

Claims 11 and 14-16 were rejected under 35 U.S.C. §102(b) on U.S. Patent No. 2,154,310 to Kinnard.

Claims 1-6, 9 and 10 were rejected under 35 U.S.C. §103(a) on U.S. Patent No. 2,154,310 to Kinnard taken with U.S. Patent No. 5,191,171 to Bordwell.

Claims 7 and 8 were rejected under 35 U.S.C. §103(a) on U.S. Patent No. 2,154,310 to Kinnard taken with U.S. Patent No. 5,191,171 to Bordwell and U.S. Patent No. 6,765,147 to Weiss et al.

Claims 12 and 13 were rejected under 35 U.S.C. §103(a) on U.S. Patent No. 2,154,310 to Kinnard taken with U.S. Patent No. 6,765,147 to Weiss et al.

Claim 17 was rejected under 35 U.S.C. §103(a) on U.S. Patent No. 2,154,310 to Kinnard.

Claims 18-20 and 28-35 were rejected under 35 U.S.C. 103(a) on U.S. Patent No. 2,154,310 to Kinnard taken with U.S. Patent No. 5,444,183 to Gehrs et al.

Claims 21, 23-27 and 36 were rejected under 35 U.S.C. §103(a) on U.S. Patent No. 2,154,310 to Kinnard taken with U.S. Patent No. 5,191,171 to Bordwell and U.S. Patent No. 5,444,183 to Gehrs et al.

Claim 22 was rejected under 35 U.S.C. §103(a) on U.S. Patent No. 2,154,310 to Kinnard taken with U.S. Patent No. 5,191,171 to Bordwell, U.S. Patent No. 5,444,183 to Gehrs et al, and U.S. Patent No. 6,765,147 to Weiss et al.

The claim rejections based on the Kinnard patent are not well taken. In the present application, the depth of the grooves gradually varies around their circumference between the minimum and maximum depth locations as explained at the top of page 4, and as recited in original claim 36.

There is no disclosure or suggestion in Kinnard of any gradually varying groove depth. Kinnard's inner groove 42 clearly is of uniform depth around its entire circumference and is the deepest groove to facilitate removal of the inner knockout without displacing the outer knockouts. The intermediate and outer grooves 43, 44 also would be of uniform depth around their entire extent except where they intersect and overlap groove 42. There is no disclosure or suggestion of any other configuration.

The Examiner proposes to modify Kinnard by making all of grooves 42, 43, 44 of a minimum depth along the arc over which they overlap. The Examiner contends that Bordwell provides one of ordinary skill in the art with a teaching, suggestion or motivation to make such a change to Kinnard. Bordwell does not disclose grooves that overlap along a tangent location and does not disclose grooves that vary in depth. It is not at all clear how the Examiner is proposing to modify Kinnard. Is the proposal to provide Kinnard with a web 46 of Bordwell?

Lines 53-56 in column 2 of Bordwell provide: "Single web 46 defines the sole connection between inner knockout 20 and the box wall, and the remaining periphery of inner knockout 20 is completely severed from the box wall and from outer knockout 30." Lines 17 and 18 in column 4 or Bordwell provide: "Outer knockout 30 is completely severed from box wall 12 except for highly frangible webs 50, 52."

From the above quoted passages of Bordwell, it is plain that Bordwell does not have any grooves because the knockouts are completely severed from the wall except for the remaining webs 46, 50, 52. Does the Examiner propose to eliminate the Kinnard grooves as taught by Bordwell? The entire reason for the webs 46, 50 and 52 in Bordwell is to provide the sole connection between the completely severed knockouts and the wall in which they are situated. Kinnard does not require such webs because the Kinnard grooves do not completely sever the knockouts from the wall. Therefore, there is no teaching, suggestion or motivation for a person of ordinary skill in the art to provide Kinnard with any webs 46, 50 or 52 of Bordwell.

The art does not disclose or suggest that the maximun and minimum depths of the grooves in Kinnard be changed. Such a modification certainly is not suggested by Bordwell. Such a modification would defeat the entire purpose of the Kinnard arrangement.

The art does not disclose or suggest the claimed areas of additional weakness within the grooves whereby the strength or resistance against removal of a knockout is reduced compared to the strength and resistance of the remaining wall thickness along the remainder of the grooves. This is a highly advantageous and novel way of ensuring removal of the inner knockout without dislodging the intermediate or outer knockouts, and of ensuring removal of the intermediate knockout without dislodging the outer knockout.

None of the references disclose or suggest overlapping grooves that have a common minimum depth and a common maximum depth as recited in claims 10 and 27.

Weiss et al does not suggest providing slots in a plane outer surface of a knockout opposite from the tangent location and adjacent the knockout outer periphery. The slot in Weiss et al is generally centered on the knockout and is formed within a large projection on the outer surface of the knockouts. The slots of Weiss et al are not suitable for use on each of three eccentric knockouts that overlap one another at a tangent location as there would be insufficient vacant area on each individual knockout to accommodate the Weiss et al slot arrangement.

Gehrs et al simply discloses a box of plastic material., and does not disclose or suggest any of the novel aspects of the knockout arrangement that are disclosed and claimed in the present application.

Claims 17, 20 and 23 recite the novel arrangement wherein the difference between the maximum and minimum groove depths is between 0.005 to 0.010 inch. Kinnard doesn't even disclose or suggest grooves that have a common minimum depth and a common maximum depth, and cannot possibly suggest a difference of only 0.005 to 0.010 inch between the maximum and minimum depths. Kinnard and no other reference discloses grooves that gradually vary in depth around their circumference from a minimum depth location to a maximum depth location. Therefore, Kinnard does not even disclose the general conditions of the claims and *In re Aller* does not apply.

In the absence of more pertinent art, this application is now in condition for allowance.

Respectfully submitted,

H Duane Switzer

H. Duane Switzer
Reg. No. 22,431
Jones Day
North Point
901 Lakeside Avenue
Cleveland, OH 44114-1190
216-586-7283